

Kentucky Lead Workgroup Meeting
November 14, 2019
10:00 AM to 12 Noon EST
Kentucky Division of Water
Room 316
300 Sower Blvd
Frankfort, Kentucky

Workgroup Member Attendance:

Greg Heitzman, Bluewater Kentucky
Jennifer Burt, Kentucky Department of Health
Mike Gardner, Bowling Green Municipal Utilities
Brad Montgomery, GRW Engineering, via phone
Bill Robertson, Paducah Water Works, via phone
Justin Sensabaugh, Kentucky American Water Company
Tom Rockaway, University of Louisville, via phone
Rengao Song, Louisville Water Company
Mary Carol Wagner, Northern Kentucky Water (for Ron Lovan)

Absent Workgroup Members:

Obe Cox, Carroll County Water District
Tom Gabbard, Division of Water, Retired
Brian Thomas, City of Marion

Other Attendees:

Spencer Bruce, Louisville Water Company
Jory Becker, Kentucky Division of Water
Emily Fritz, Louisville Water Company
Sarah Jon Gaddis, Kentucky Division of Water
Julia Harrod, Kentucky Division of Water
Terry Humphries, Kentucky Division of Water
Kelleé Husband, Kentucky Division of Water
Alicia Jacobs, Kentucky Division of Water
Russell Neal, Kentucky Division of Water
Todd Ritter, Kentucky Rural Water Association

1. The meeting of the Kentucky Lead Workgroup was called to order at 10:05 AM by Chair Greg Heitzman. The Agenda was distributed among attendees and it was announced that a Public Notice has been made for today's meeting and the meeting is open to the public. A roll call of members and introduction of guests was conducted. A quorum was confirmed. Several members joined by conference call. A sign-in sheet was circulated. Greg announced the Workgroup is being re-activated to review the proposed changes to the Lead and Copper Rule (LCR), published in the Federal Register on November 13, 2019.

2. **Minutes** - The minutes of the last meeting of March 13, 2018, were deferred for approval at a future meeting.
3. **Workgroup Membership Update** - A discussion was had about filling Workgroup vacancies. Alicia Jacobs, Manager of the Drinking Water Branch, KY Division of Water was proposed to fill the vacancy left by Tom Gabbard's retirement. Rengao Song recommended Emily Fritz of Louisville Water Company serve as a member of the Workgroup. The Workgroup agreed to add Alicia and Emily as members. Suggestions were made to add someone from Kentucky's Compliance Assistance Branch and the Kentucky Department of Education. Alicia will contact the Compliance Assistance Branch and Department of Education for participation on the Workgroup.
4. **Discuss Key Areas of Proposed LCR Changes** - Greg gave an overview of a conference call with AWWA regarding the proposed changes to the LCR. AWWA, AMWA and NRWA are expected to file for a 30-day extension for comments, but an extension is not likely to be granted, so the Workgroup needs to review and respond to the proposed LCR must be submitted by January 13, 2020. AWWA is working with each of its state Sections to collect feedback on the proposed LCR. Greg will provide information from national AWWA to the Workgroup.

The plan is to assemble comments and recommendations by the Workgroup in December and finalize for submittal to EPA by January 13, 2020. Greg advised that the Workgroup comments and recommendations must be forwarded to the Kentucky Drinking Water Advisory Council for consideration by the Kentucky Division of Water. The Workgroup comments and recommendations can also be used by water industry associations and utilities in their responses to EPA.

5. **Review of EPA LCR Summary Documents** - By email, prior to the meeting, Greg provided a copy of the proposed changes to the LCR from the Federal Register and various EPA documents on the proposed LCR changes. Greg used the *EPA LCR Proposal Summary and Key Improvements* in six areas to lead the discussion on the LCR changes. The six areas identified by EPA include:
 1. Areas Most Impacted
 2. Strengthening Treatment Requirements
 3. Replacing Lead Service Lines
 4. Increasing sampling Reliability
 5. Improving Risk Communication
 6. Protecting Children in Schools

Greg led the group in a round table discussion of concerns with each area and identified problems that are anticipated with the proposed changes. Several members expressed concern over the language regarding identification of lead service line inventory, lead sampling protocol, lead replacement requirements, state compliance resources, public notification, and testing for lead in schools. The proposed LCR in the Federal Register is a comprehensive document and members are encouraged to review the proposed changes.

7. Sub-Team Assignments - Greg proposed to establish sub-teams for the areas of concern, as follows:

Sub-Team #1: Inventory/Replacement

EPA Area #1 – Identifying Areas Most Impacted and Area #3 – Replacing Lead Service Lines

Sub-Team Chair: Bill Robertson – Paducah Water

Members: Bill Robertson (Paducah Water), Justin Sensabaugh (KAWC), Tom Rockaway (U of L), Mike Gardner (BGMU), Russ Neal (KYDOW), Amy Kramer (NKWD)

Sub-Team #2: Treatment/Corrosion Control

EPA Area #2 – Strengthening Treatment Requirements

Sub-Team Chair: Dr. Rengao Song – Louisville Water Company

Members: Rengao Song (LWC), Todd Ritter (KRW)

Sub-Team#3: Sampling/Public Notice

EPA Area #4 – Increasing Sampling Reliability

Sub-Team Chair: Mary Carol Wagner – Norther KY Water District

Members: Mary Carol Wagner (NKWD), Emily Fritz (LWC), Kelleé Husband (KYDOW), Rep from private lab (Beckmar or Microbac)

Sub-Team#4: Schools and Childcare Facilities

EPA Area #6 – Protecting Children in Schools

Sub-Team Chair: Emily Fritz – Louisville Water

Members: Emily Fritz (LWC), Mary Carol Wagner (NKWD), Jennifer Burt (KY Public Health), Todd Ritter (KRW), Alicia Jacobs (KYDOW), Rep from KY Dept of Education and Health and Human Services

Sub-Team #5: Communications (to be activated after Dec 3 Meeting)

EPA Area #5 – Improving Risk Communication

Sub-Team Chair: TBD

Members: SubTeam Chair, Kelley Dearing Smith (LWC), Susan Lancho (KAWC), Ron Lovan (NKWD), Brad Montgomery (GRW)

Each Sub-team will review the proposed LCR in the Federal Register and the EPA LCR documents and prepare a list of concerns and begin draft of comments for discussion at the December 3, 2019 meeting. Greg will prepare an Excel spreadsheet template and provide the template to the Sub-Team Chairs to use in compiling concerns and proposed comments.

8. Open Discussion - No additional Comments made.

9. Public Comment - No Public announcements were made

10. Next Meeting - The next meeting of the Kentucky Lead Workgroup is set for December 03, 2019 at 10:00 AM in room 314, 300 Sower Blvd., Frankfort, KY.

11. Adjourn - Meeting was adjourned at 12:10 PM